

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

CITY OF SPOKANE VALLEY,

Petitioner,

v.

UNION PACIFIC RAILROAD,

Respondent.

DOCKET TR-111033

PETITIONER'S AMENDED
MOTION FOR CONTINUANCE
AND TO MODIFY PROCEDURAL
SCHEDULE AND REQUEST FOR
LEAVE TO FILE OUT OF TIME
MOTION

Petitioner City of Spokane Valley ("Spokane Valley"), by and through its attorneys, Hedeem & Caditz, PLLC and Bryan D. Caditz, hereby amends its motion filed on February 1, 2012, by extending the requested continuance from a period of six weeks to eight weeks. Petitioner also requests the Commission's leave to file an out of time motion under WAC 480-07-385.

As stated in Spokane Valley's February 1, 2012 Motion, its Petition is for approval of the installation of sidewalks and for the modification of warning devices at a highway-rail grade crossing at Pines Road (SR-27) in Spokane Valley, Washington, USDOT Crossing No. 662519S. Spokane Valley and Respondent Union Pacific Railroad ("UPRR") have reached agreement as to the improvements and modifications to be performed at the crossing and are negotiating the terms of an agreement under which UPRR will perform the improvements and invoice the City for them.

As discussed at a telephone pre-hearing conference on February 3, 2012, the additional two weeks will increase the likelihood that Petitioner will be in a position to file

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SCHEDULE -- 1**

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a motion to withdraw the Petition prior to March 30, 2012, the date by which Petitioner would be required to file its direct written testimony and exhibits.


As stated during the telephonic hearing on February 3, 2012, counsel for Union Pacific Railroad and for the UTC agree with this request.

Accordingly, Petitioner requests that the Commission continue all deadlines in this matter by eight weeks, and modify the Procedural Schedule as set forth in Appendix A to this motion.

DATED this 6th day of February, 2012.

HEDEEN & CADITZ, PLLC

By



Bryan D. Caditz WSBA#15243

Attorneys for Petitioner

APPENDIX A

EVENT	PRIOR DEADLINE	PROPOSED DEADLINE
City of Spokane Valley Pre-filed Direct Testimony and Exhibits	February 3, 2012	March 30, 2012
Union Pacific Railroad and Commission Staff Pre-filed Responsive Testimony and Exhibits	April 6, 2012	June 1, 2012
City of Spokane Valley Pre-filed Rebuttal Testimony and Exhibits and Union Pacific Railroad and Commission Staff Prefiled Cross-Answering Testimony and Exhibits	May 11, 2012	July 6, 2012
Hearing	June 13, 2012	August 8, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing PETITIONER'S AMENDED MOTION FOR CONTINUANCE AND TO MODIFY PROCEDURAL SCHEDULE AND REQUEST FOR LEAVE TO FILE OUT OF TIME MOTION was served on the following parties and their known representatives, via E-mail and via first class mail, postage prepaid, at the addresses listed below:

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DATED this 6th day of February, 2012, at Seattle, Washington.



SUSAN K. MATHEWS